

CORONAVIRUS (COVID-19) ADVISORY

On March 4, 2020, Governor Newsom proclaimed a State of Emergency in California due to the threat of COVID-19. On March 12 and 18, 2020, the Governor issued Executive Order N-25-20 and N-29-20, which temporarily suspends portions of the Brown Act addressing the conduct of public meetings.

As such, Tulare City Council Meetings may include teleconference participation by some or all of the City Council Members and City staff. Pursuant to Executive Order N-20-20, teleconference locations utilized by City Council Members shall not be accessible to the public and are not subject to special posting requirements.

For those individuals who choose not to shelter in place and attend the Council meeting, in an effort to promote social distancing, seating in the Council Chamber has been reduced to 12 available seats on a first come, first served basis.

Meetings **will be available** for public viewing via YouTube
https://www.youtube.com/channel/UCdWZiv2o7do1JY0OvGe1_aw/videos

If you are sheltering in place, and wish to provide public comment during the meeting you may do so **by calling 559-366-1849**, if you receive a busy signal please continue to call until you are able to get through.

Note: There will be approximately a 20 second delay in broadcast for viewers. If viewing from YouTube and calling in please mute your speakers.

AGENDA

**TULARE CITY COUNCIL
TUESDAY, APRIL 21, 2020**

**Closed Session 6:00 p.m.
Regular Session 7:00 p.m.
TULARE PUBLIC LIBRARY & COUNCIL CHAMBERS
491 North "M" Street**

**MISSION STATEMENT
TO PROMOTE A QUALITY OF LIFE MAKING TULARE THE MOST DESIRABLE COMMUNITY IN
WHICH TO LIVE, LEARN, PLAY, WORK, WORSHIP AND PROSPER.**

Meeting audio will be uploaded to the City's website www.tulare.ca.gov, no later than the Friday following the meeting, barring any technical difficulties, accessible by selecting the appropriate meeting date on the City Meeting Calendar page.

6:00 p.m.

I. CALL TO ORDER SPECIAL CLOSED SESSION

II. CITIZEN COMMENTS - Comments from the public are limited to items listed on the agenda (GC 54954.3a). Speakers will be allowed three minutes. Please begin your comments by stating and spelling your name and providing your city of residence.

III. ADJOURN TO CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTION(S):

- (a) 54956.9(d)(1) Conference with Legal Counsel – Existing Litigation (2) [Submitted by: M. Zamora]
Name of Case: Nunley vs. City of Tulare TCSC Case No. VCU280972
Name of Case: City of Tulare and Tulare Police Officers Union (TPOU) Case No. SA-IM-194-M

IV. RECONVENE CLOSED SESSION

V. CLOSED SESSION REPORT (if any)

VI. ADJOURN SPECIAL CLOSED SESSION

7:00 p.m. (or immediately following Closed Session)

VII. CALL TO ORDER REGULAR SESSION

VIII. PLEDGE OF ALLEGIANCE AND INVOCATION

IX. CITIZEN COMMENTS

This is the time for citizens to comment on subject matters, not on the agenda within the jurisdiction of the Tulare City Council. The Council Members ask that you keep your comments brief and positive. Creative criticism, presented with appropriate courtesy, is welcome. The Council cannot legally discuss or take official action on citizen request items that are introduced tonight.

This is also the time for citizens to comment on items listed under the Consent Calendar or to request an item from the Consent Calendar be pulled for discussion purposes. Comments related to general business/city manager items or public hearing items will be heard at the time the item is discussed or at the time the Public Hearing is opened for comment.

*In fairness to all who wish to speak, each speaker will be allowed **three minutes**, with a maximum time of 15 minutes per item, unless otherwise extended by Council. Please begin your comments by stating and spelling your name and providing your city of residence.*

X. COMMUNICATIONS

*Communications are to be submitted to the City Manager's Office 10 days prior to a Council Meeting to be considered for this section of the Agenda. No action will be taken on matters listed under communications; however, the Council may direct staff to schedule issues raised during communications for a future agenda. Citizen comments will be limited to **three minutes**, per topic, unless otherwise extended by Council.*

XI. CONSENT CALENDAR

All Consent Calendar Items are considered routine and will be enacted in one motion. There will be no separate discussion of these matters unless a request is made, in which event the item will be removed from the Consent Calendar to be discussed and voted upon by a separate motion.

- (1) Authorization to read ordinances by title only.
- (2) Approve minutes of April 7, 2020 special/regular meeting. [Submitted by: R. Yoder]
- (3) **Adopt Ordinance 19-12**, an Ordinance revoking and replacing Chapter 5.96 of the City of Tulare Municipal Code allowing Recreational Cannabis Businesses and Establishing Permitting Procedures and Regulations. [Submitted by: M. Zamora]
- (4) **Adopt Ordinance 2020-04** approving Zone Amendment No. 740, changing the existing zoning designation on approximately 0.38-acres from C-2 (Office Commercial) to the C-3 (Retail Commercial) zone district on property located south of Prosperity Avenue between Brentwood and Laspina Streets. [Submitted by: T. Myers]
- (5) Accept the required public works improvements for the Sierra Vista Estates No. 2 Subdivision located south of Bardsley Avenue, between Mooney Boulevard and Irwin Street as complete, authorize the City Engineer to sign the Notice of Completion, and direct the City Clerk to file the Notice of Completion with the Tulare County Recorder's Office. [Submitted by: M. Miller]
- (6) Accept the required public works improvements for Phase 4 of The Windmills subdivision located along the east side of Morrison Street south of Bardsley Avenue as complete, authorize the City Engineer to sign the Notice of Completion, and direct the City Clerk to file the Notice of Completion with the Tulare County Recorder's Office. [Submitted by: M. Miller]
- (7) **Adopt Resolution 2020-14** authorizing the execution of a program supplement

to the Measure R Cooperative Agreement with the Tulare County Association of Governments (TCAG) for the design and construction of the Cartmill Avenue Improvements Project, extension to Mooney Boulevard. [Submitted by: N. Bartsch]

- (8) Receive, review, and file the Monthly Investment Report for March 2020. [Submitted by: D. Thompson]
- (9) **Adopt Resolution 2020-15** (1) designating and authorizing the City Manager or his/her designees to act on behalf of the City of Tulare to execute applications and agreements for California Low Carbon Transit Operations Program (LCTOP), (2) APPROVING 2019-20 Certifications and Assurances and (3) approving submittal of the City's FY 2019-20 "Purchase One TIME CNG Bus" LCTOP project. [Submitted by: D. Thompson]
- (10) Award Sourcewell (formally NJPA) bid to National Auto Fleet Group, Quote #23809R1, in the amount of \$33,070.79 for the replacement of the Senior Center delivery vehicle. [Submitted by: S. Bonville]
- (11) Surplus Police K-9 "Loki" and authorize the sale of same to his former handler, Police Corporal Dan Scott, for the purchase price of \$1.00. [Submitted by: W. Hensley]

XII. SCHEDULED CITIZEN OR GROUP PRESENTATIONS

XIII. MAYOR'S REPORT

XIV. STUDENT REPORTS

XV. GENERAL BUSINESS

Comments related to General Business Items are limited to three minutes per speaker, for a maximum of 30 minutes per item, unless otherwise extended by the Council.

- (1) Public Hearing:
 - a. Public Hearing to **adopt Resolution 2020-16** approving the 2020-2021 Master Fee Schedule effective July 1, 2020. [Submitted by: D. Thompson]
 - b. Public Hearing for City Council review and comment on the City of Tulare's Draft Program Year 2020-2024 Five-Year Consolidated Plan, Draft Analysis of Impediments to Fair Housing Choice, 2020-2021 Annual Action Plan, and 2019-2020 Action Plan Amendment II and provide direction to staff for the

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finalization of the documents for Council consideration for adoption at the May 5, 2020 City Council meeting. [Submitted by: T. Myers]

- c. Public hearing pursuant to Government Code section 3505.7 Fact Finding with the Tulare Police Officers Union. [Submitted by: M. Zamora] *[A copy of this report is available for public review on the City of Tulare website, public kiosk and in the Office of the City Clerk.]*

(2) Economic Development:

- a. City Council review and approval of the Notice of Funding Availability (NOFA) for Affordable Housing Development and direction to staff to release said NOFA to solicit Statements of Qualifications from qualified non-profit and/or for-profit developers who desire to partner with the City to carry out local affordable housing, community development and land use goals. [Submitted by: T. Myers]

(3) City Attorney:

- a. **Adopt of Resolution 2020-17** authorizing the Commercial cannabis business request for proposal/applicant package. [Submitted by: M. Zamora]

(4) City Manager:

- a. Staff update, discussion and receive direction, if necessary, regarding COVID-19. [Submitted by: R. Hunt]

XVI. COUNCIL/STAFF UPDATES, REPORTS OR ITEMS OF INTEREST – GC 54954.2(3)

XVII. ADJOURN REGULAR MEETING

In compliance with the Americans with Disabilities and Brown Act, if you need special assistance to participate in the meeting, including the receipt of the agenda and documents in the agenda package in an alternate format, please contact the City Manager's Office (559) 684-4200. Notification 48 hours prior to the meeting will enable the city to make reasonable arrangements to ensure accessibility to this meeting (28 CFR 35.102-35, 104 ADA Title II), and allow for the preparation of documents in the appropriate alternate format.

[Note: Pursuant to Government Code 54957.5 - Effective 7/1/08 Documents produced and distributed less than 72 hours prior to or during an open session of a regular meeting to a majority of the legislative body regarding any item on the agenda will be made available for public inspection at the meeting and at the City Clerk's Office at City Hall located at 411 East Kern Avenue during normal business hours.]